


# POLICY

<b>Approved by:</b> Rebecca R. Hunter, Commissioner	<b>Policy Number:</b> 12-023 (Rev. 02/18)
<b>Signature:</b> 	<b>Supersedes:</b> 11-031; 10-025; 12-023
<b>Application:</b> Executive Branch Agencies, Human Resource Officers	<b>Effective Date:</b> August 1, 2013
<b>Authority:</b> T.C.A. § 4-3-1703, T.C.A. § 8-30-104, T.C.A. § 8-30-203, T.C.A. § 8-30-205, T.C.A. § 8-30-207	<b>Rule:</b> Chapter 1120-02, 1120-03, and 1120-04

**Subject:**

## Flexible Staffing

A flex-classification position may be filled with an employee qualified to perform the job at the trainee, intermediate, or working level. Agencies may use flex-classification positions when attracting and retaining competent employees for hard-to-fill occupations with complex duties. In addition, the use of flex-classification positions provides inexperienced applicants with training opportunities designed to develop required job-related competencies.

Based on the complexity of assigned job responsibilities, the Department of Human Resources (Department) may designate a working level job classification within the state service as a flex-classification position.

Consider the classifications of Administrative Services Assistant (ASA) 1 and 2 as an example. The ASA 2 is the working level job classification in the job classification series. The agency may hire an experienced ASA 2 who is fully proficient to perform at the working level or the hiring agency may fill the position with a less experienced ASA 1. When an ASA 1 completes the training necessary to perform the job duties at the working level and successfully completes the probationary period, the employee flexes, or promotes, to an ASA 2 without further assessment, certification, or probationary period.

Lower level flex-classification positions are considered “training” classifications. Most flex-classification positions have one entry level job classification; however, there are a few flex-classification positions that have very complex job duties, and inexperienced employees may require two (2) years of training before the employee can effectively perform the job duties at the working level. For these few job classifications, the flex-classification positions require a training level job classification and an intermediate training level job classification.

Flex-classification positions can be categorized into two (2) groups, “single flex” and “multi-flex,” as defined herein.

### Single Flex and Multi Flex

A single flex is a working-level job classification that has a trainee level that flexes to the working level.

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A multi-flex is a working-level job classification that has a trainee level and an intermediate level that flexes to the working-level.

### Options When Filling a Vacant Flexibly Staffed Position

When a flex-classification position becomes vacant, the agency must use standard preferred service procedures to fill the vacancy. However, based on agency needs, the agency has the option of filling the position using a referral list for either the working level, intermediate level (if applicable), or trainee entry level.

### Requirements for Announcing a Job Classification

The agency may post only one (1) flex level at a time and must show cause if an appointment is not made from the referred list before the agency is allowed to post another flex level.

### Flex Process

Employees appointed to flex-classification positions must successfully complete the required probationary period before advancing to the next classification without further assessment, certification, or probationary period.

### Unsuccessful Performance

Failure of a probationary employee to demonstrate that he or she has met the performance standards and expected outcomes established by the agency during the performance review cycle will result in the separation of that employee prior to the end of the probationary period. An appointing authority may recommend that an employee be removed from a flex-classification position during the required probationary period.

### Guidelines

- A. Flex-classification positions must:
  - Be a working level job classification below the lead or supervisory level job classification in a job series;
  - Be budgeted at the working level job classification;
  - For single flexes, have duties that are higher than normal in complexity at the working level; and
  - For multi-flexes, have the most complex duties at the working level.
- B. Employees hired into a trainee level job classification will:
  - Be appointed to the entry level job classification and be mismatched into the working level position;
  - Serve a probationary period for single flex and multiple probationary periods for multi-flex;
  - For multi-flex, near the end of the probation period for the entry level flex-classification position, the appointing authority must assess if the employee has mastered the knowledge of applicable rules and regulations or attained the skills necessary to conduct basic duties under close supervision. If not, the employee must be removed from the position. If the employee meets job

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performance expectations, the agency shall request an increase in the employee's salary equal to either one half (1/2) of the increase the employee would receive if promoted to the working level job classification or the range minimum of the intermediate job classification, whichever is greater;

- Receive an annual performance evaluation prior to the end of his or her probationary period documenting that the employee has successfully demonstrated that he or she has met the performance standards and expected outcomes established by the agency during the performance review cycle;
  - Be flexed to the working level job classification without further assessment, certification, or probationary period; and
  - When flexed,
    - a. For single flexes, receive an adjusted salary per the state's promotional salary policy, or
    - b. For multi-flexes, receive an increase in salary by one half (1/2) of the increase the employee would receive if promoted to the working level job classification.
- C. Employees hired into an intermediate level job classification will:
- Be appointed to the intermediate level job classification and mismatched into the working level position;
  - Serve a new probationary period;
  - Near the end of the requisite probationary period, receive an annual performance evaluation;
  - Be flexed to the working level job classification without further assessment or certification if the employee demonstrates that he or she is meeting or exceeding the expectations of the agency.
  - When flexed, have his or her salary adjusted in accordance with the state's promotional salary policy.

### General Requirements

An applicant who is offered and accepts employment in a flex-classification position must sign an awareness statement (copy attached) stating his or her understanding of the progression to the working level position.

### Other Related Processes

When an employee is eligible for a salary increase as provided by the Tennessee General Assembly, a flex salary increase should be made in addition. The Department may make additional adjustments as necessary. All salary adjustments are subject to budget limitations.

Questions regarding this policy may be directed to the Agency Resource Center (ARC).

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### Attachment – Awareness Statement Form (PR-0455)

#### Flexible Staffing

### Awareness Statement

I understand I am being appointed to a \_\_\_\_\_(trainee level position or an intermediate training level position) and mismatched in \_\_\_\_\_(the working level position of this job classification). With this appointment, I am aware that I will be on probation for \_\_\_\_ year(s).

One Year Probation: Prior to the end of my probationary period, I understand I will receive a final performance evaluation and will be flexed (promoted) to the working level position of this classification on without further assessment, certification, or probationary period as long as my job performance evaluation demonstrates that I have meet the performance standards and expected outcomes established by my agency and I will receive a salary increase based on the state's promotional salary policy.

Two Year Probation: I will receive a mid-flex performance review at the end of the first year. If I meet the job performance expectations set forth in this mid-flex review, my salary will be increased equivalent to one half the increase I would receive if promoted to the working level job classification on.

At the end of the second year, I will receive a final performance evaluation and will be flexed (promoted) to the working level position of this classification on without further assessment, certification, or probationary period as long as my job performance evaluation demonstrates that I have meet the performance standards and expected outcomes established by my agency and I will receive a salary increase equal to the increase received at the end of the first year.

General Provisions: I understand that all salary increase provisions set forth in this awareness statement are subject to the state's laws and budget requirements/limitations in effect at such time the salary increase would otherwise occur.

If at any time I do not meet the job and/or work expectations, I understand that I will be removed from this position in accordance with standard practice, which may include separation from state service.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Employee ID

\_\_\_\_\_  
Date

A completed and signed copy of this form is to be submitted to DOHR with the paperwork necessary to appoint an employee to a training level position and mismatched in a flex-classification position. The form will be returned to the hiring agency and maintained in the employee's personnel file.

**Tennessee Department of Human Resources**

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